

REMARKS/ARGUMENTS

Claims 1-21 are pending. Claims 1-6 and 13-15 have been withdrawn. Claims 7-12 have been rejected. Claims 16-21 have been added.

Claim Rejections - 35 U.S.C. § 102(b)

Claims 7 and 11-12 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,027,431 to Summers et al ("Summers '431").

Summers '431 discloses a liquid lance apparatus identified generally by reference numeral 1 in Fig. 1. Referring to Fig. 1, a portion of a patient's body is shown having cutaneous flesh or skin 3 that includes diseased or tumorous area 4 surrounded by healthy tissue 5. Apparatus 1 may be positioned over tissue 3 for removal of diseased or tumorous area 4. Specifically, apparatus 1 includes hand-held portion 6 having a fluid supply system including fluid reservoir 7, which contains fluid 9, and a sterilizable fluid pump 11. To remove diseased or tumorous area 4, apparatus 1 is positioned over diseased or tumorous area 4 and fluid 9 is drawn from reservoir 7 by pump 11. Pump 11 develops sufficient hydrodynamic pressure in fluid 9 to force fluid 9 through hand-held portion 6 where it contacts flesh 3. The impact energy of fluid 9 with diseased tissue 4 causes diseased tissue 4 to fragment and dissociate from flesh 3, while healthy tissue 5 remains intact.

Applicant respectfully submits that independent Claim 7 is not anticipated by Summers '431, as Summers '431 fails to disclose each and every limitation of independent Claim 7. Specifically, independent Claim 7 calls for a method for jet cutting skin, the method comprising the steps of automatically jet cutting the skin into a selectable *mesh pattern*; and automatically tensioning the skin concurrently with the jet cutting step.

In contrast to independent Claim 7, Summers '431 fails to disclose or suggest automatically jet cutting skin into a selectable *mesh pattern*. Specifically, the entire disclosure of Summers '431 is directed to the removal of diseased or damaged tissue from the body of a patient. Nowhere does Summers '431 disclose or suggest jet cutting a mesh pattern in the patient's skin, i.e., forming cuts having generally uniform intracutaneous lengths, intracutaneous widths, and lateral and longitudinal intracutaneous spacings. In fact, the device of Summers '431 is designed to remove only the diseased or damaged tissue of a patient, while leaving any healthy tissue intact. Thus, by using the device disclosed in Summers '431 to remove the

diseased or damaged skin of a patient, a large open wound would be formed in the patient's skin that would fail to have any uniform pattern, let alone a selectable mesh pattern as required by independent Claim 7.

For at least the foregoing reasons, Applicant respectfully submits that independent Claim 7, as well as Claims 11 and 12 which depend therefrom, are not anticipated by Summers '431.

Claim Rejections – 35 U.S.C. § 103(a)

Claims 8-10 are rejected under 35 U.S.C. § 103(a) as being obvious over Summers '431. In forming the rejection, the Examiner relies on Summers '431 as disclosing each and every limitation of independent Claim 7, from which Claims 8-10 depend. However, for at least the reasons set forth above with respect to independent Claim 7, Summers '431 fails to disclose or suggest each and every limitation of amended independent Claim 7. Thus, Applicant respectfully submits that Claims 8-10, which depend from independent Claim 7, are not rendered obvious over Summers '431.

New Claims

New Claims 16-21 have been added. Claims 16-21 are directed to a method for jet meshing skin, support for which can be found in at least ¶¶ [0013] – [0022] and Figs. 1 and 2 of the present application as published.

New independent Claim 16 calls for a method for jet cutting skin, the method including the steps of removing a piece of donor skin from a patient, the donor skin having a first surface area; jet cutting the donor skin to form a plurality of cuts that cooperate to define a mesh pattern; and stretching the donor skin to expand the mesh pattern causing the donor skin to have a second surface area, wherein the second surface area is greater than the first surface area.

Applicant respectfully submits that such method is not disclosed or suggested in the prior art and that this claim, along with new Claims 17-21 depending therefrom, are in condition for allowance.

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Amendment dated March 13, 2008
Reply to Office Action dated November 30, 2007

Conclusion

It is believed that the above represents a complete response to the Official Action and reconsideration is requested. Specifically, Applicants respectfully submit that the application is in condition for allowance and respectfully requests allowance thereof.

In the event Applicants have overlooked the need for an additional extension of time, payment of fee, or additional payment of fee, Applicants hereby petition therefor and authorize that any charges be made to Deposit Account No. 02-0385, Baker & Daniels.

Should the Examiner have any further questions regarding any of the foregoing, he is respectfully invited to telephone the undersigned at 260-424-8000.

Respectfully submitted,



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Name of Registered Representative



Signature

March 13, 2008

Date